



RCE
1600

PTO/SB/30 (09-03)

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/420,692
Filing Date	October 19, 1999
First Named Inventor	Besterman
Art Unit	1635
Examiner Name	Epps
Attorney Docket Number	MET-015US1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
ii. Other _____

- b. Enclosed

- | | |
|---|--|
| i. <input checked="" type="checkbox"/> Amendment/Reply | iii. <input type="checkbox"/> Information Disclosure Statement (IDS) |
| ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s) | iv. <input type="checkbox"/> Other _____ |

2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- a. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. Deposit Account No. _____

- | | |
|--|---------------------------------------|
| i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e) | 11/17/2003 AWONDAF1 00000132 09420692 |
| ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) | 01 FC:2801 385.00 OP |
| iii. <input type="checkbox"/> Other _____ | |

- b. Check in the amount of \$ 440.00 enclosed

- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Wayne A. Keown	Registration No. (Attorney/Agent)	33,923
Signature		Date	11/12/03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Melissa Simpson
Signature	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Besterman et al.

Serial No.: 09/420,692 **Examiner:** Epps, Janet L.

Filed: October 19, 1999 **Group Art Unit:** 1635

Entitled: MODULATION OF GENE EXPRESSION BY COMBINATION THERAPY

Attorney
Docket No.: MET-015US1

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

This reply is responsive to the Office Action made Final mailed July 16, 2003. A Request for Continued Examination under 37 C.F.R. 1.114 is being filed concurrently herewith. Please re-consider the above-identified application in view of the following amendments and remarks.

An extension of time to respond to the Office Action is respectfully requested. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this Response.

Please amend the application as follows: